

Attorney Docket No.: RTS-0169
Inventors: Ward et al.
Serial No.: 09/676,436
Filing Date: September 29, 2000
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REMARKS

Claims 1, 2, 4-10 and 12-15 are pending in the instant application. Claims 1, 2, 4-10 and 12-15 have been rejected. Claims 1, 2, 12 and 14 have been canceled. Claims 4, 6, 8, 10, 13 and 15 have been amended. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Rejection of Claims Under 35 U.S.C. 102(b)/103(a)

Claims 1, 2, 12 and 14 have been rejected under 35 U.S.C. 102(b) or 103(a) as being anticipated by or obvious over Kucherlapati et al. (US Patent 6,114,598). The Examiner suggests that this reference discloses a 16 mer oligonucleotide, referenced as SEQ ID NO: 12, that comprises 12 residues fully complementary to nucleotides within residues 3314 through 3333 of SEQ ID NO: 3, that this oligonucleotide meets all of the structural requirements of the instant claims, and that this 12 mer sequence would be expected to specifically hybridize to a nucleic acid encoding MEKK4. Applicants respectfully point out that they were unable to find the complementarity referenced by the Examiner and in a

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telephone conversation with the Examiner found out that there was a mistake in the Office Action wherein the actual sequence number was SEQ ID NO: 16 not 12. Further, in the current Office Action, the Examiner stated that claims 4-10, 13 and 15 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

As a result, in an earnest effort to advance the prosecution of this case, Applicants have canceled claims 1, 2, 12 and 14 and amended claims 4-10, 13 and 15 to be independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

II. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly,

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favorable reconsideration and subsequent allowance of the pending
claims is earnestly solicited.

Respectfully submitted,

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